

NOT FOR PUBLICATION

NO. 25117

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellee, v.
DANIEL DEPARINI, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT,
PUNA DIVISION
(Citation Nos. 1740657MH and 1740658 MH)

SUMMARY DISPOSITION ORDER

(By: Burns, C.J., Watanabe and Foley, JJ.)

Defendant-Appellant Daniel Deparini (Deparini) appeals the Judgment filed on October 10, 2003 in the District Court of the Third Circuit, Puna Division¹ (district court).

Upon careful review of the record and the briefs submitted by the parties and having given due consideration to the arguments advanced and the issues raised by the parties, we resolve Deparini's point of error as follows:

Contrary to Deparini's contention, HRS §§ 286-25 and 431:10C-104 do not violate Deparini's constitutional right to equal protection. Del Rio v. Crake, 87 Hawai'i 297, 304-06, 955 P.2d 90, 97-99 (1998); State v. French, 77 Hawai'i 222, 232, 883 P.2d 644, 654 (App. 1994).

¹The Honorable Sandra P. Schutte presided.

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Therefore,

IT IS HEREBY ORDERED that the Judgment filed on October 10, 2003 in District Court of the Third Circuit, Puna Division, is affirmed.

DATED: Honolulu, Hawai'i, December 31, 2003.

On the briefs:

Daniel Deparini
defendant-appellant pro se.

Jefferson R. Malate,
Deputy Prosecuting Attorney,
County of Hawai'i,
for plaintiff-appellee.

Chief Judge

Associate Judge

Associate Judge